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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/717,305

11/18/2003

Toshie Imai

MIPFP066

6467

25920 7590 08/02/2007  
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EXAMINER

PARK, CHAN S

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

08/02/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/717,305	Applicant(s) IMAI ET AL.	
	Examiner CHAN S. PARK	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

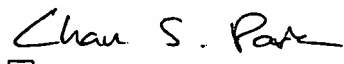
**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN  
PRIMARY EXAMINER

**Attachment(s)**

- |   |  |
|---|--|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br/>Paper No(s)/Mail Date <u>12/28/05</u>.</p> | <br><p>4) <input type="checkbox"/> Interview Summary (PTO-413)<br/>Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application</p> <p>6) <input type="checkbox"/> Other: _____</p> |
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## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 is objected to because of the following informalities:

Line 7, "date" should be -- printing data --;

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Gignac U.S. Patent Application Pub. No. 2004/0239982.

2. With respect to claim 1, Gignac teaches an image processing method (abstract), comprising the steps of:

providing image data produced by an image-producing device (a source of digital image in paragraph 38), and image production record information related to the image data (figs. 11~13); and

executing a trimming process upon determining whether or not to trim the image data based on the image production record information (paragraphs 57~60).

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3. With respect to claim 2, Gignac teaches the image processing method according to claim 1, wherein

the image production record information includes at least exposure program information (either 'landscape' or 'portrait' in figs. 11~13) and photograph scene information ('letterbox' in figs. 11~13), and

the trimming process is executed when the exposure program information and photograph scene information meet specific conditions (figs. 11~13 & paragraphs 57~60).

4. With respect to claim 3, Gignac teaches the image processing method according to claim 2, wherein

the specific conditions include selection of a normal program which is set as default for the exposure program information (fig. 11), and selection of a standard scene which is set as default for the photograph scene information (fig. 11 or 13 & paragraph 57).

5. With respect to claims 6 and 8, arguments analogous to those presented for claim 1, are applicable.

6. With respect to claim 7, Gignac discloses an output device for outputting an image using image data produced by an image-producing device, and image production record information related to the image data, comprising:

an image information processor for executing a trimming process upon determining whether or not to trim the image data based on the image production record information (paragraphs 57~60); and

an image output unit for outputting an image according to the image data processed by the image information processor (displaying the trimmed images according to figs. 11~19).

Claims 1, 4 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Enomoto U.S. Patent No. 6,801,334.

7. With respect to claim 1, Enomoto teaches an image processing method (figs. 17 & 18), comprising the steps of:

providing image data produced by an image-producing device (a source of digital image in fig. 18), and image production record information related to the image data (col. 58, line 27 ~ col. 59, line 67); and

executing a trimming process upon determining whether or not to trim the image data based on the image production record information (steps 576~582 in fig. 17C).

8. With respect to claim 4, Enomoto teaches the image processing method according to claim 1, wherein

the image production record information includes at least subject area information (cropping-inhibited region) representing a subject area in an image (col. 58, lines 27-40); and

the trimming process is terminated when the subject area will be cut as a result of the trimming (steps 576~582 in fig. 17C & col. 59, lines 58-67).

9. With respect to claims 6~8, arguments analogous to those presented for claims 1 and 4, are applicable.

Claims 1, 5 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Kubo et al. U.S. Patent No. 6,765,691 (hereinafter Kubo).

10. With respect to claim 1, Kubo teaches an image processing method (figs. 4 & 14), comprising the steps of:

providing image data produced by an image-producing device (a source of digital image 68 in fig. 4), and image production record information related to the image data (parameters set in fig. 10); and

executing a trimming process upon determining whether or not to trim the image data based on the image production record information (parameters set in figs. 10 & 14 & col. 23, lines 50-61).

11. With respect to claim 5, Kubo teaches the image processing method according to claim 1, wherein

the trimming process is a process in which an image is enlarged or reduced, while preserving an aspect ratio, to a size encompassing a designated image output size, and portions extending outside the image output size are cut off (parameters set in figs. 10 & 14 & col. 23, lines 50-61).

12. With respect to claims 6~8, arguments analogous to those presented for claims 1 and 5, are applicable.

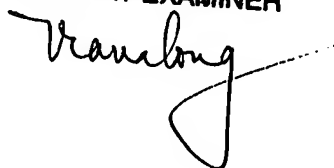
**Contact Information**

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DOUGLAS Q. TRAN  
PRIMARY EXAMINER



Chan S. Park  
Examiner  
Art Unit 2625



csp  
July 27, 2007